

#### **§ 3214.19**

- (b) Reclaiming the surface and other resources;
- (c) Compensatory royalties assessed for drainage; and
- (d) Rent and royalties due.

#### **§ 3214.19 What are my bonding requirements when a lease interest is transferred to me?**

(a) Except as otherwise provided in this section, if the lands to be transferred to you contain a well or any other surface disturbance which the original lessee did not reclaim, you must post a bond under this subpart before BLM will approve the transfer.

(b) If the original lessee does not transfer all interest in the lease to you, you may become a co-principal on the original bond, rather than posting a new bond.

(c) You do not need to post an additional bond if:

- (1) You previously furnished a state-wide or nationwide bond sufficient to cover the lands transferred; or
- (2) The operator provided the original bond, and the operator does not change.

#### **§ 3214.20 How do I modify my bond?**

You may modify your bond by submitting a rider to the BLM State Office where your bond is held. There is no special form required.

#### **§ 3214.21 What must I do if I want to use a certificate of deposit to back my bond?**

Your certificate of deposit must:

(a) Be issued by a Federally-insured financial institution authorized to do business in the United States;

(b) Include on its face the statement, "This certificate cannot be redeemed by any party without approval by the Secretary of the Interior or the Secretary's delegate;" and

(c) Be payable to the Department of the Interior, Bureau of Land Management.

#### **§ 3214.22 What must I do if I want to use a letter of credit to back my bond?**

Your letter of credit must:

(a) Be issued by a Federally-insured financial institution authorized to do business in the United States;

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(b) Be payable to the Department of the Interior—Bureau of Land Management;

(c) Be irrevocable during its term and have an initial expiration date of no sooner than 1 year after the date we receive it;

(d) Be automatically renewable for a period of at least 1 year beyond the end of the current term, unless the issuing financial institution gives us written notice, at least 90 days before the letter of credit expires, that it will no longer renew the letter of credit; and

(e) Include a clause authorizing the Secretary of the Interior to demand immediate payment, in part or in full:

(i) If you do not meet your obligations under the requirements of § 3200.4; or

(ii) Provide substitute security for a letter of credit which the issuer has stated it will not renew before the letter of credit expires.

### **Subpart 3215—Bond Release, Termination, and Collection**

#### **§ 3215.10 When may BLM collect against my bond?**

If you fail to comply with the requirements listed at § 3200.4, we may collect money from the bond to correct your noncompliance. This amount can be as large as the face amount of the bond. Some examples of when we will collect against your bond are when you do not properly or in a timely manner:

- (a) Plug and abandon a well;
- (b) Reclaim the lease area;
- (c) Pay outstanding royalties; or
- (d) Pay assessed royalties to compensate for drainage.

#### **§ 3215.11 Must I replace my bond after BLM collects against it?**

If BLM collects against your bond, before you conduct any further operations you must either:

- (a) Post a new bond equal to the value of the original bond; or
- (b) Restore your existing bond to the original face amount.

#### **§ 3215.12 What will BLM do if I do not restore the face amount or file a new bond?**

If we collect against your bond and you do not restore it to the original